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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 3-09-70052 EDL |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | PROPOSED ORDER AND |
| |) | STIPULATION TO EXCLUDE TIME |
| FRANCISCO RUIZ SORIA, |) | FROM JANUARY 29, 2009 TO |
| a/k/a Domingo Zepeda, |) | FEBRUARY 10, 2009 |
| |) | |
| Defendant. |) | |

On January 29, 2009, the parties in this case appeared before the Honorable Elizabeth D. Laporte for a detention hearing. At that time, the parties stipulated that time should be excluded from the Speedy Trial Act calculation and extended under Rule 5.1 of the Federal Rules of Criminal Procedure from January 29, 2009, to February 10, 2009 to allow effective preparation of defense counsel. Counsel for defendant is reviewing the evidence to determine whether a pre-charge disposition is appropriate. Only after evaluating the evidence will counsel be in a position to evaluate what disposition is an appropriate one. Moreover, defense counsel also requires time to review discovery with his client. The parties represented that granting the

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1 exclusion was reasonable, taking into account the exercise of due diligence. See 18 U.S.C. §
2 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a
3 continuance outweighed the best interests of the public and the defendant in a speedy trial. See
4 18 U.S.C. § 3161(h)(8)(A).

5 IT IS SO STIPULATED.

6 DATED: 2/2/09

7 _____/s/
RON TYLER
8 Counsel for Defendant

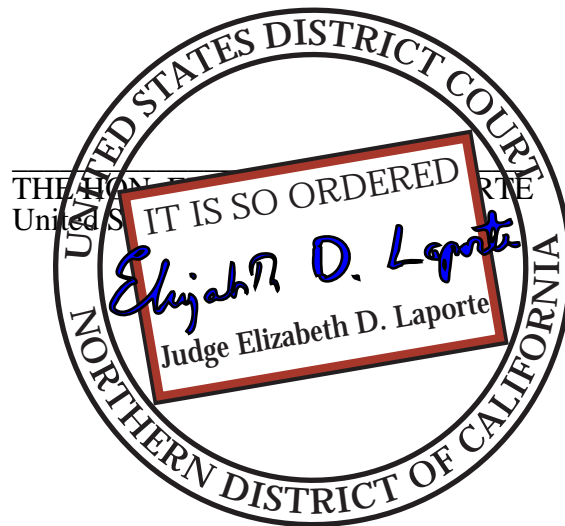
9 DATED: 2/2/09

10 _____/s/
WENDY THOMAS
11 Special Assistant United States Attorney

12 IT IS HEREBY ORDERED that time is excluded under the Speedy Trial Act and extended
13 under Rule 5.1 of the Federal Rules of Criminal Procedure from January 29, 2009, to February
14 10, 2009, under 18 U.S.C. § 3161(h)(8)(A) and 18 U.S.C. § 3161(h)(8)(B)(iv) and F.R.C.P. 5.1.

15 IT IS SO ORDERED.

16 DATED: 2/9/09



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